

## Message Text

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ORIGIN NEA-10

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INR-10 NSAE-00 SCS-06 CA-01 /051 R

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-----111893 060253Z /61

R 042358Z AUG 78  
FM SECSTATE WASHDC  
TO AMEMBASSY RABAT

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E.O. 11652: N/A

TAGS: EINV, MO

SUBJECT: LAND EXPROPRIATION CASES

REF: RABAT 3321

1. APPARENTLY MRS. PELLENC IS EXCLUSIVELY AN AMERICAN CITIZEN, WHEREAS HER DAUGHTER, MRS. TURCAT, HOLDS DUAL U.S.-FRENCH CITIZENSHIP. THE TWO CASES MUST BE HANDLED SEPARATELY, SINCE THE WOMEN ARE NOT CO-CLAIMANTS. THE TURCAT CASE SHOULD NOT INTERFERE IN THE PELLENC CASE. HOWEVER, MRS. PELLENC'S ATTORNEY MUST BEAR THE BRUNT OF PROOF TO THE MOROCCANS THAT MRS. PELLENC IS STRICTLY AN AMERICAN CITIZEN AND DOES NOT HOLD DUAL NATIONALITY. A LETTER FROM SENATOR HEINZ EXPLAINING THESE CIRCUMSTANCES HAS BEEN POUCHED TO RABAT FOR DELIVERY TO GOM

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2. IN THE TURCAT CASE, THE GOVERNMENT OF THE UNITED STATES RECOGNIZES AND FOLLOWS THE INTERNATIONAL LAW RULE OF DOMINANT AND EFFECTIVE NATIONALITY. THE EMBASSY SHOULD NOT BECOME ENTANGLED IN THE QUARREL AS TO WHETHER MRS. TURCAT IS DOMINANTLY AN AMERICAN CITIZEN OR A FRENCH CITIZEN. MRS. TURCAT'S ATTORNEY MUST PROVE TO THE MOROCCANS THAT MRS. TURCAT IS DOMINANTLY AN AMERICAN

CITIZEN AND, HENCE, DESERVING OF COMPENSATION APART FROM

THAT GRANTED UNDER THE MOROCCAN-FRENCH AGREEMENT DATED  
AUGUST 2, 1974.

3. ALL PARTIES WITH CLAIMS OUTSTANDING WITH THE MOROCCAN  
GOVERNMENT HAVE BEEN URGED TO HAVE THEIR ATTORNEYS PRESS  
NOW FOR A SETTLEMENT. MCHALE (FOR MOURAD) HAS BEEN IN  
TOUCH WITH THE MOROCCANS AND MR. BENJELLOUN IN WASHINGTON.  
HE IS AWAITING A REPLY FROM MOROCCO. RCA HAS BEGUN TO  
SEEK SOME SORT OF SETTLEMENT. AT PRESENT, THE SITUATION  
IS AT A STANDSTILL, BUT MR. SAMIR AMMARI FROM RCA IS  
PLANNING A TRIP TO RABAT ON MONDAY, AUGUST 7 AND WILL  
INVESTIGATE THE SITUATION. HE IS REQUESTING AN APPOINT-  
MENT WITH AMBASSADOR ANDERSON OR MR. REDECKER TO DISCUSS  
THE CASE. ITT HAS TAKEN NO ACTION AS OF YET, AND IT IS  
UNKNOWN IF THEY PLAN TO.

4. STATE WISHES TO MAINTAIN THE STATUS QUO ON THE VOA  
CASES. TRY TO AVOID BRINGING UP THE VOA CASES WITH GOM.  
IF GOM BRINGS UP VOA CASES, MENTION THAT USG WISHES A RULING  
ON USG REQUEST OF WHETHER VOA LAND IS AGRICULTURAL (HENCE  
SUBJECT TO EXPROPRIATION) OR NOT, BUT IN MEANTIME URGES  
GOM TO SETTLE PRIVATE CLAIMS AS SOON AS POSSIBLE,  
INDEPENDENTLY OF VOA CLAIMS.

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FYI: IF GOM THREATENS TO EVICT VOA FROM LAND, USG WILL  
BE FORCED TO NEGOTIATE. BUT STATE IS AFRAID A VOA SETTLE-  
MENT COULD PROVE NEGATIVE TO USG INTERESTS AND SET A BAD  
PRECEDENT FOR PRIVATE CLAIMS. CHRISTOPHER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAND, CLAIMS, LAND NATIONALIZATION  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 04 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** BCECIL:PAW  
**Enclosure:** n/a  
**Executive Order:** N/A  
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**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Reference:** 78 RABAT 3321  
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**Review Exemptions:** n/a  
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**Subject:** LAND EXPROPRIATION CASES  
**TAGS:** EINV, MO  
**To:** RABAT  
**Type:** TE  
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**Review Markings:**  
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